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Mr W Rothwell
Deputy Chairman
Telecommunications Industry Ombudsman's Office
Melbourne

Dear Wally,

I refer you to my letter of 1 July 1998 regarding two blank sheets of paper faxed from William Hunt, my Solicitor, on 29 June 1998. In my letter I brought to your attention the symbols which appeared on these blank pages and gave further examples of three other blank sheets, with the same symbols, which were received by Austel on 22nd April 1994.

The fax Journal printouts attached to both sets of blank sheets show that the faxes took between 1 minute 13 seconds and 2 minutes 33 seconds to transmit but, as I am sure you would be aware, between Portland and Melbourne, a blank sheet would take only approximately 10 seconds to transmit. I believe this indicates that these faxes were interfered with during transmission.

The following documents are attached to further support my allegations that some of the documents I faxed to Dr Hughes during my Arbitration were not received at his office:

Attachment 1: An 11 page list of FTAP interprocedural documents exchanged between the Arbitrator (Dr Hughes) and Telstra and titled "Smith FOI Data Base". I received my copy of these 11 pages, under FOI, on 18/10/96.

Attachment 2: A list of 43 faxes which I sent to Gordon Hughes between 21/9/94 and 6/3/95 (during my Arbitration), in date order. Some of these faxes included multiple pages of attachments. This list has been compiled from Telstra's billing records for my fax line, 055 267 230. These billing records clearly show that these faxes were sent from my fax to 036148730 which is Dr Hughes' office but none of these faxes are included in the document titled "Smith FOI Data Base" (Attachment 1).

